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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 SECURITIES AND EXCHANGE
10 COMMISSION,

11 Plaintiff,

12 v.

13 JOSEPH C. LAVIN, *et al.*,

14 Defendants.

Case No. C07-1188RSL

ORDER GRANTING MOTION
FOR SUMMARY JUDGMENT

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16 This matter comes before the Court on a motion for summary judgment filed by
17 plaintiff the Securities and Exchange Commission (“SEC”). The SEC seeks summary
18 judgment on all of its claims against both defendants, Joseph C. Lavin and Global Asset
19 Partners, LLP (collectively, “defendants”). Neither defendant responded to the motion.

20 Summary judgment is appropriate when, viewing the facts in the light most
21 favorable to the nonmoving party, the records show that “there is no genuine issue as to
22 any material fact and that the movant is entitled to judgment as a matter of law.” Fed. R.
23 Civ. P. 56(c). Once the moving party has satisfied its burden, it is entitled to summary
24 judgment if the non-moving party fails to designate, by affidavits, depositions, answers to

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26 ORDER GRANTING MOTION
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1 interrogatories, or admissions on file, “specific facts showing that there is a genuine issue
2 for trial.” Celotex Corp. v. Catrett, 477 U.S. 317, 324 (1986). “If the opposing party
3 does not so respond, summary judgment should, if appropriate, be entered against that
4 party.” Fed. R. Civ. P. 56(e)(2). Similarly, pursuant to Local Rule 7(b)(2), the Court
5 considers defendants’ failure to respond to the motion “as an admission that the motion
6 has merit.”

7 Moreover, the SEC’s filings, defendants’ admissions in their answer to the
8 complaint, and Lavin’s plea agreement establish the elements of the SEC’s claims against
9 defendants. There are no genuine issues of material fact. Accordingly, the SEC is
10 entitled to summary judgment.

11 The Court GRANTS the SEC’s motion for summary judgment (Dkt. #7). The
12 Clerk of the Court is directed to enter judgment in favor of the SEC and against
13 defendants.

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15 DATED this 17th day of July, 2008.

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18 Robert S. Lasnik
19 United States District Judge
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